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BOARD OF APPEAL REFERRALS

July 17, 1980

1.	Z-4733	Creative Realty Trust 675 East Seventh Street, South Boston
2.	Z-4742	Peter Therios 610-618 Washington Street, Brighton
3.	Z-4745	Gaston Safar 132 Newbury Street, Boston
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6.	Z-4766	Hollow Reed, Inc. 93 Sedgwick Street, Jamaica Plain
7.	Z-4782	Daniel R. Safar 118 Newbury Street, Boston
8.	Z-4785	Alexander V. and Nancy Famolare 6 Ford Street, East Boston
9.	Z-4787	Robert E. Kennedy 38-42 Joy Street, Boston
10.	Z-4792	Northeastern University 45 Forsyth Street, Boston
11.	Z-4793	First National Stores, Inc. 1500 Blue Hill Avenue, Mattapan

MEMORANDUM

July 17, 1980

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: Robert J. Ryan, Director

SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 7/22/80

Z-4733
Creative Realty Trust
675 East Seventh Street
South Boston
At M Street

Three story masonry structure - H-1-50

District(s): apartment H-1-50 ____ general business ____ industrial ____
residential ____ local business ____ waterfront ____
single family ____ manufacturing ____

Purpose: Change occupancy from three to four apartments.

Violation(s):

Section		Required	Proposed
8-7.	Any dwelling converted for more families which does not meet the requirements of lot area and open space is forbidden in an H-1-50 District.		
14-2.	Lot Area is insufficient.		
17-1.	Open space is insufficient.		

In 1974, the former owner received approval from Board of Appeal for change of occupancy from one to three families. Authority recommended that coversion be limited to two units; community was opposed to three units.

Proposed fourth basement unit is unwarranted, inconsistent with predominant three family residential character of the neighborhood and would overcrowd the small row structure. Community, abuttors and Little City Hall are opposed. Recommend denial.

VOTED: In reference to Petition Z-4733, brought by Creative Realty Trust, 675 East Seventh Street, South Boston, for a forbidden use and two variances for change of occupancy from three to four apartments in an apartment (H-1-50) District, the Boston Redevelopment Authority recommends denial. Proposed fourth basement unit is unwarranted, in consistent with predominant three family residential character of the neighborhood and would overcrowd the small row structure.

EAST
FIFTH
GASTON SCHOOL (EL)
BUTLER COURT
SIXTH
SWALLOW STREET
EAST
MONKS STREET
PETERS STREET
SEVENTH
EAST
VIKING ST.
OLIVER HAZARD PERRY SCHOOL
STREET
EAST
EIGHTH
BARRET AVENUE
FLINT PLACE
BALMORAL PK.
HARDY STREET
ROAD
MARINE
HATCH STREET
TICKNOR STREET
COLUMBIA
Z-4733
675 EAST SEVENTH ST.
(S.B.)

Board of Appeal Referrals 7/17/80

Hearing: 7/29/80 Z-4742
Peter Therios
610-618 Washington Street
Brighton

One story masonry structure - L-.5

District(s): apartment_____ general business_____ industrial_____
residential_____ local business L-.5 waterfront_____
single family_____ manufacturing_____

Purpose: Change occupancy from stores and restaurant to auto driving school and three stores.

Violation(s):

Section	Required	Proposed
8-7. Trade, professional or other school is conditional in an L-.5 District.		

Driving school is compatible with this Local Business Area. No community opposition. Recommend approval with proviso.

VOTED: In Reference to Petition Z-4742, brought by Peter Therios, 610-618 Washington Street, Brighton, for a conditional use for change of occupancy from stores and restaurant to auto driving school and three stores in a Local Business (L-.5) District, the Boston Redevelopment Authority recommends approval with proviso that use extend to lessee only.

Z-4742
610-618 WASHINGTON ST.
(BRI.)
PRESENTATION RD.
BETHUNE ST.
STREET
HARDWICK
COURT
DURLAND STREET
PERTSHIRE
ROAD
DUNBOY
STREET
UPCREST
JUSTIN
ATKINS
AVENUE
CHAMPNEY
BIGELOW
ADAIR
FANEUIL
FLORENCE CRITTENTON HOSPITAL
FIRE STATION
BOSTON PUBLIC LIBRARY
PLAYGROUND
OAK SQUARE
M.B.T.A.
WASHINGTON
BRACKETT
MONTFERN
LANGLEY ROAD
OAK SQUARE EL. SCHOOL
WALL

Board of Appeal Referrals 7/17/80

Z-4745
Gaston Safar
132 Newbury Street, Boston
near Dartmouth Street

Hearing: 7/29/80

Four-story structure

District(s): apartment_____ general business B-4-70 industrial_____
residential_____ local business_____ waterfront_____
single family_____ manufacturing_____

Purpose: Change occupancy from stores and offices to stores, offices, dental office and restaurant.

Violation(s):

Section		Required	Proposed
8-7.	Restaurant is conditional in a B-4-70 District.		

Basement restaurant consistent with similar uses in the commercial area. Neighborhood Association has no objection. Recommend approval.

VOTED: In reference to Petition Z-4745, brought by Gaston Safar, 132 Newbury Street, Boston, for a conditional use for change of occupancy from stores and offices to stores, offices, dental office and restaurant in a General Business (B-4-70) District, the Boston Redevelopment Authority recommends approval with the following provisos: that seating capacity not exceed 50; that interior trash compactor be installed; that trash pickup and deliveries occur between 9 AM and 4 PM; that no alcoholic beverages be allowed; that conditional use extend to appellant only and expire upon sale, lease or other disposition of business or property.

Z-4745

132 NEWBURY ST.

(B.P.)

Board of Appeal Referrals 7/17/80

Hearing: 7/29/80

Z-4746
John A. & Janice Newton
74-76 Green Street, Jamaica Plain
At Chesire Street

One story structure - L-1

District(s): apartment_____ general business_____ industrial_____
residential_____ local business L-1 waterfront_____
single family_____ manufacturing_____

Purpose: Change occupancy from sign painting shop and retail sale of auto parts to one family dwelling and office.

Violation(s):

Section		Required	Proposed
14-1.	Lot size is insufficient.		
17-1.	Open space is insufficient.		
19-5.	Side yard is insufficient.		

Building, vacant since 1977, will be substantially renovated to accommodate owner's apartment, office and sound studio. Violations will not affect surrounding properties in this mixed use (manufacturing - commerical - institutional - residential) neighborhood. No opposition. Recommend approval with proviso.

VOTED: In Reference to Petition Z-4746, brought by John A. & Janice Newton, 74-76 Green Street, Jamaica Plain, for three variances for change of occupancy from sign painting shop and retail sale of auto parts to one family dwelling and office in a Local Business (L-1) District, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for Design Review.

Z-4746
74-76 GREEN ST.
(J.P.)
PLAYGROUND
PLAYGROUND
BOWDITCH SCHOOL
CENTRAL CONGREGATIONAL CHURCH
ST JOHN EPISCOPAL CHURCH
LAMARTINE
OAKDALE
CERINA ROAD
BILTMORE STREET
FESSENDEN STREET
CHESTNUT
LANDER
ROCKVIEW STREET
WARREN SQ
WARREN
GREENVIEW AVENUE
LESTER PL
GREEN
STARR
SEAVERNS
SEAVERNS AVENUE
ALFRED STREET
ALVESTON TER
ALVESTON ST
NEVERE
ROANOKE
MAPLE
PARK
MARHIS
GORDON STREET
WOOLSEY SQ
ELM AVENUE
ST JOHN

Board of Appeal Referrals 7/17/80

Hearing: 7/22/80

Z-4758
Michael O'Connor
182 Park Street, West Roxbury
Near Clement Avenue

2½ story structure - S-.3

District(s):			
apartment_____	general business_____	industrial_____
residential_____	local business_____	waterfront_____
single family S-.3		manufacturing_____

Purpose: Erect two one story additions to two family dwelling.

Violation(s):

Section	Required	Proposed
9-1. Extension of a non conforming use requires Board of Appeal Hearing.		

In 1977, the Authority and Board of Appeal approved conversion from one to two families in this single family neighborhood. Extension of the non-conforming use is unjustified. Additions will violate existing conforming side yards. Appellant can modify dwelling interior or expand into rear yard without violating code. No response from abuttors. Recommend denial.

VOTED: In Reference to Petition Z-4758, brought by Michael O'Connor, 182 Park Street, West Roxbury, for an extension of a non conforming use to erect two one story additions to a two family dwelling in a single family (S-.3) District, the Boston Redevelopment Authority recommends denial. Extension of the non conforming use is unjustified. Additions will violate existing conforming side yards. Appellant can modify dwelling interior or expand into rear yard without violating code.

Z-4758
182 PARK ST.
(W.R.)
RANDALL G. MORRIS EL SCHOOL
COURTS
TENNIS
FIELD
PARKING
WREN
BULLEDGE
BELLEVUE
ANAMAN
GILMORE
BOXFORD
DANVILLE
GERTRUDE
PELTON
ALLENWOOD
KENNETT
STREET
AVE.
ROAD
PARK
TER.
PL.
CT.

Board of Appeal Referrals 7/17/80

Hearing: 7/22/80

Z-4766
Hollow Reed, Inc.
93 Sedgwick Street, Jamaica Plain
Near Elm Street

Two story frame structure - R-.5 & R-.8

District(s):			
apartment_____	general business_____	industrial_____
residential R-.5&R-.8	local business_____	waterfront_____
single family_____		manufacturing_____

Purpose: Change occupancy from one family dwelling and private elementary school to one family dwelling and private pre-school-elementary school.

Violation(s):

Section	Required	Proposed
8-7. Pre-school is conditional in an R-.5 District.		

Proposal would consolidate the Hollow Reed Pre-school program presently located at 83 Elm Street with Hollow Reed elementary School to save energy costs. Facility, accommodating 49 pupils, complies with regulations of Boston School Committee and Office of Children. Schools have operated in neighborhood for past two years without adverse affect. Recommend approval.

VOTED: In reference to Petition Z-4766, brought by Hollow Reed, Inc., 93 Sedgwick Street, Jamaica Plain, for a conditional use for change of occupany from one family dwelling and private elementary school to one family dwelling and private pre-school-elementary school in residential (R-.5) & (R-.8) Districts, the Boston Redevelopment Authority recommends approval. Schools have operated in neighborhood without adverse affect. Consolidation would reduce energy costs.

GREENOUGH
STOREY
PLACE
AVENUE
STREET
ROAD
SOUTH
CENTRE
SEDGWICK
CAROLINA
VERONA
LEE
CHILD
CUSTEN
BAKEWELL
MERRITT ST.
MOSSMAN
ST JOSEPH
JAMAICA
McBRIDE
FIRST CHURCH OF JAMAICA PLAIN
SOLDIERS MONUMENT
TENNIS COURT
MUNICIPAL BUILDING
BOSTON PUBLIC LIBRARY JAMAICA PLAIN BRANCH
JAMAICA PLAIN HIGH SCHOOL
J W MURPHY PLAYGROUND
ONE HUNDRED
SAINT THOMAS HIGH SCHOOL
SAINT THOMAS SCHOOL
CONVENT
ST THOMAS AQUINAS CH
JOHN A ANDREW
Z-4766
93 SEDGWICK ST.
(J.P.)

Board of Appeal Referrals 7/17/80

Hearing: 7/22/80

Z-4782
Daniel R. Safar
118 Newbury Street, Boston
near Clarendon Street

Five-story structure

District(s): apartment_____ general business B-4-70 industrial_____
residential_____ local business_____ waterfront_____
single family_____ manufacturing_____

Purpose: Erect one-story addition to office building.

Violation(s):

Section		Required	Proposed
20-1.	Rear yard is insufficient		

Rear addition to this office building will not affect abutting properties. Recommend approval with proviso.

VOTED: In reference to Petition Z-4782, brought by Daniel R. Safar, 118 Newbury Street, Boston, for a variance to erect a one-story addition to an office building in a General Business (B-4-70) District, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.

Z-4782
118 NEWBURY ST.
(B.P.)

Board of Appeal Referrals 7/17/80

Z-4785
Alexander V. & Nancy Famolare
6 Ford Street, East Boston
at Whitby Street

Hearing: 7/29/80

Three-story frame structure

District(s): apartment_____ general business_____ industrial_____
residential R-.8 local business_____ waterfront_____
single family_____ manufacturing_____

Purpose: Legalize existing four-family dwelling.

Violation(s):

Section		Required	Proposed
8-7.	Dwelling converted for more families which does not meet the requirements of lot area and open space is forbidden in an R-.8 District		
14-2.	Lot area is insufficient.		
17-1.	Open space is insufficient.		

Four-family occupancy has existed for several years.
No opposition expressed. Recommend approval.

VOTED: In reference to Petition Z-4785, brought by Alexander V. & Nancy Famolare, 6 Ford Street, East Boston, for a forbidden use and two variances to legalize a four-family dwelling in a residential (R-.8) District, the Boston Redevelopment Authority recommends approval. Occupancy has existed for several years without adverse impact.

Z-4785
6 FORD STREET
(E.B.)

Board of Appeal Referrals 7/17/80

Hearing: 7/22/80

Z-4787
Robert E. Kennedy
38-42 Joy Street, Boston
Near Myrtle Street

Three story structure - H-2-65

District(s):			
apartment H-2-65	general business	industrial	
residential	local business	waterfront	
single family		manufacturing	

Purpose: Change occupancy from 14 apartments and studio to 14 apartments, art studio, art gallery retail sales.

Violation(s):

Section	Required	Proposed
7-4. In variance with former decision of Board of Appeal		

Previous 1968 Board of Appeal proviso prohibited a retail operation and limited employees to three. This proposal which will legalize an existing condition is consistent with residential, commercial, institutional uses in the immediate area. Beacon Hill Civic Association has no objection. Recommend approval with provisos.

VOTED: In reference to Petition Z-4787, brought by Robert E. Kennedy, 38-42 Joy Street, Boston for a variance for change of occupancy from 14 apartments and studio to 14 apartments, art studio and art gallery retail sales in an apartment (H-2-65) District, the Boston Redevelopment Authority recommends approval with following provisos: that there be no more than ten employees; that use terminate upon sale, lease or other disposition of property.

Z-4787
38-42 JOY ST.
(B.P.)
COMMONWEALTH OF MASSACHUSETTS STATE HOUSE
PARKING
MASON MEMORIAL UNITED COMMUNITY SERVICES
COUNTY COURT HOUSE
SUFFOLK
METROPOLITAN DISTRICT COMMISSION
SUFFOLK UNIVERSITY
MISSION CHURCH OF ST JOHN (EPISC.)
FORD HALL
ASHBURTON PLACE
PEMBERTON SQUARE
BOSTON ATHENAEUM LIBRARY
GRANARY BURIAL GROUND (CEM)
KINGS CHAPEL BURIAL GROUND (CEM)
KINGS CHAPEL (UNITARIAN)
BOSTON CITY HALL
TREMONT TEMPLE BAPTIST CHURCH
PARK STREET CHURCH
CATHOLIC INFORMATION CENTER
BOSTON SCHOOL COMMITTEE
MT VERNON PLACE
JOY PLACE
TREMONT PLACE
PARK ST PL
BOSWORTH ST
BROMFIELD
HAMILTON PL
WINTER
TREMONT
SCHOOL STREET
SOMERSET
BEACON
VERNON
CHESTNUT
POND
FROG
DERNE
CAMBRIDGE

Board of Appeal Referrals 7/17/80

Hearing: 7/22/80

Z-4792
Northeastern University
45 Forsyth Street, Boston
At Huntington Avenue

University complex - H-2

District(s): apartment H-2 ____ general business ____ industrial ____
residential ____ local business ____ waterfront ____
single family ____ manufacturing ____

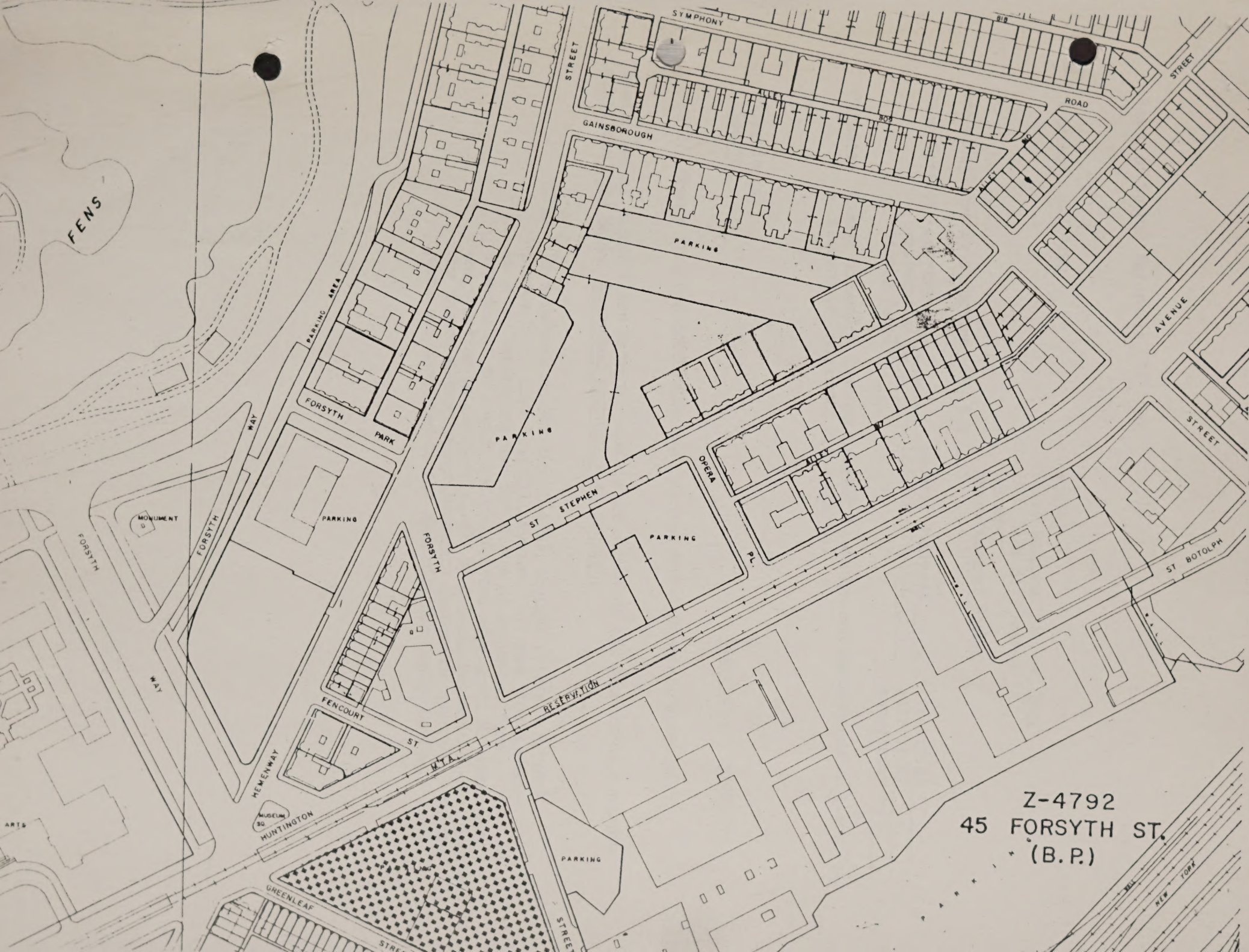
Purpose: Erect addition to University Law School

Violation(s):

Section		Required	Proposed
8-6.	Change in a conditional use requires Board of Appeal Approval.		
18-1.	Front yard is insufficient.		
18-3.	Corner traffic visibility is insufficient		
19-6.	Side yard is insufficient		
20-7.	Rear yard is insufficient		
21-1.	Setback of parapet is insufficient		
22-1.	Grade of yard will be increased more than five feet above natural grade.		

Proposed addition to Law School, designed to meet increased accreditation standards, will be partially below grade and extensively landscaped. It follows the NU Master Plan and complies with conditions set forth in the FenPAC/Northeastern Memorandum of Understanding with regard to University expansion. Staff and FenPAC agree that proposal will not adversely affect the community. Recommend approval.

VOTED: In Reference to Petition Z-4792, brought by Northeastern University, 45 Forsyth Street, Boston, for a conditional use and six variances to erect addition to Law School structure in an Apartment (H-2) District, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for Design Review.



Z-4792
45 FORSYTH ST.
(B.P.)

Board of Appeal Referrals 7/17/80

Hearing: 7/29/80

Z-4793
First National Stores, Inc.
1500 Blue Hill Avenue
Mattapan
Near Freemont Street

One story masonry structure - R-.5 & L-.5

District(s): apartment _____ general business _____ industrial _____
residential R-.5 local business L-.5 waterfront _____
single family _____ manufacturing _____

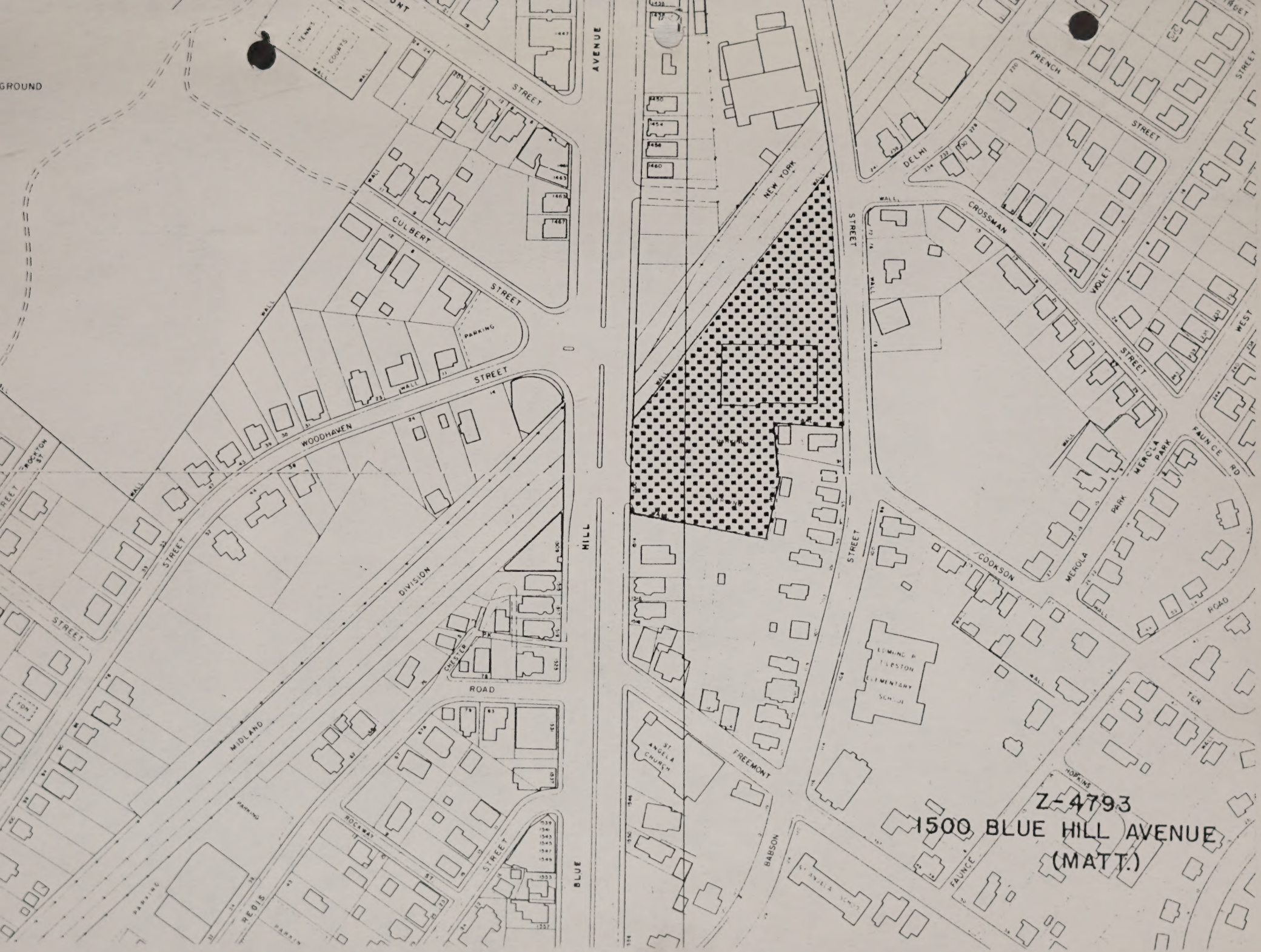
Purpose: Change occupancy from supermarket to design and manufacture of electrical & electronic components and supplies.

Violation(s):

Section		Required	Proposed
9-2.	Change in a non conforming use requires Board of Appeal approval.		

Development of former First National supermarket structure has support of community and Little City Hall. Recommend approval with proviso

VOTED: In Reference to Petition Z-4793, brought by First National Stores, Inc., 1500 Blue Hill Avenue, Mattapan, for a change in a non conforming use for change of occupancy from supermarket to design and manufacture of electrical components and supplies in residential (R-.5) & Local Business (L-.5) Districts, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for Design Review.


Z-4793
1500 BLUE HILL AVENUE
(MATT.)
BLUE HILL AVENUE
WOODHAVEN STREET
CULBERT STREET
DIVISION STREET
MIDLAND ROAD
FREEMONT STREET
BABSON STREET
COOKSON ROAD
CROSSMAN STREET
NEW YORK STREET
DELMI STREET
FRENCH STREET
VIOLET STREET
WEST STREET
FAUNCE RD
MERCIA PARK
MERCIA PARK ROAD
REGIS ROAD
ROCKWAY STREET
ST. ANGELA CHURCH
PARKING
TENNIS COURTS